



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: October 27, 2020
Time: 6:30 PM
Location: City Council Chamber, 375 Merrimack Street, 2nd Floor, Lowell, MA
/Zoom

1. ROLL CALL

Roll Call showed 9 present.

M. Leahy presiding. Meeting was conducted in the Council Chamber; via teleconference with audio stream by LTC; and Zoom due to Covid-19 pandemic.

C. Conway requested moment of silence in darkened chamber for Atty. Albert J. Marcotte. C. Chau recognized Atty. Marcotte and City Clerk Michael Geary commented on the life of Atty. Marcotte. M. Leahy requested moment of silence in darkened chamber for Leo Calhoun, retired Lowell Firefighter.

2. MAYOR'S BUSINESS

2.1. Communication Remote / Zoom Participation.

In City Council, **Motion** "To accept and place on file" by C. Elliott, seconded by C. Chau. So voted.

Motion to suspend rules by C. Mercier, seconded by C. Nuon to take Items #7.2D and #7.2E out of order. So voted.

2.2. Recognition - Ambient Photonics.

In City Council, **Motion** "To accept and place on file" by C. Elliott, seconded by C. Samaras. So voted. M. Leahy recognized the company and noted the recent ribbon cutting to welcome them to the City. Bates Marshall of Ambient Photonics addressed the body and made presentation entitled "Low Energy Harvesting Photovoltaic Cells: Endless Power for IoT Devices" which outlined operations of the company. C. Mercier commented on the operations. C. Elliott was impressed with the company and how it is operated.



3. CITY CLERK

3.1. Minutes Of Neighborhoods SC October 13th; Technology & Utilities SC October 13th; City Council Meeting October 13th And 20th; Finance SC October 20th, For Acceptance.

In City Council, minutes read, **Motion** "To accept and place on file" by C. Nuon, seconded by C. Conway. So voted.

4. AUDITOR BUSINESS

4.1. Report - Year To Date FY21 Budget Report For General Fund Expenditures Through Month Ending September 30, 2020.

In City Council, **Motion** "To accept and place on file" by C. Conway, seconded by C. Mercier. So voted. C. Elliott noted it was a clean report. Auditor Tina Masiello outlined the report covering the first fiscal quarter. C. Elliott questioned if there could be savings on school side as costs should be less with schools being closed. Manager Donoghue noted a lot of the buildings are still open but there should be other savings realized. Manager Donoghue noted the use of school nurses to assist the Health Department during the pandemic.

5. GENERAL PUBLIC HEARINGS

5.1. Ordinance- Amend Sidewalk Seating Outside Restaurant.

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt by C. Rourke, seconded by C. Mercier. Adopted per Roll Call vote 9 yeas. So voted.

5.2. Ordinance- Create Position And Salary Nurse Case Manager Law.

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt by C. Nuon, seconded by C. Mercier. Adopted per Roll Call vote 9 yeas. So voted.

6. UTILITY PUBLIC HEARING

6.1. TC Systems, Inc. (AT&T) - Request Installation Of Two (2) Telecommunication Conduits At Intersection Of University Avenue And Pawtucket Street.

In City Council, Given 2nd Reading. Hearing held. Adam Heller (Siena Engineering) spoke in favor. No Remonstrants. **Motion** to refer to Wire Inspector for report and recommendation by C. Rourke, seconded by C. Samaras. So voted.

7. COMMUNICATIONS FROM CITY MANAGER

7.1. Motion Responses.

In City Council, **Motion** "To accept and place on file" by C. Nuon, seconded by C. Rourke. So voted.



A) Motion Response - Funding for Small Businesses – C. Chau noted the need to assist when second wave of covid would hit and the efforts of Christine McCall of DPD. Christine McCall (DPD) commented on the programs and the addition of CDBG money to assist businesses. C. Mercier questioned coverage of prior businesses that applied. Ms. McCall noted that they would be included in second round as well.

B) Motion Response - Homelessness and Mental Health Outreach – C. Elliott commented on the response noting it was a complex problem but steps must be made to resolve many issues. C. Elliott noted some issues involve lack of space due to covid and there is a need for facilities for homeless and mental health affected persons in the City. C. Elliott noted City is responsive though it may not seem so as problem is extensive and there is a need for State support. C. Chau noted the efforts of the Elliot Church regarding homelessness in the City. C. Drinkwater noted that City is pulling out all the stops to address issues and the State needs to get involved. Manager Donoghue noted hotels being made available for housing covid infected homeless.

Motion to suspend rules by C. Nuon, seconded by C. Mercier to take Item #12.1 out of order. So voted. Manager Donoghue noted that there have been conversations with the State and that their assistance is needed. C. Nuon noted the need to use all resources available. M. Leahy noted discussions with the Governor's office and that all City partners should be engaged with the problem. C. Elliott noted the need for all partners to be involved especially State partners. C. Rourke noted limitations within the law regarding treatment with mental health issues. Manager Donoghue commented that office will follow up with further discussions with the State. C. Chau requested Mary Shannon Thomas (Homeless – DPD) comment on report. Ms. Thomas noted the challenges and the resources going towards those challenges as well as the efforts of the Elliot Church.

C) Motion Response - 150 Aiken Ave Guard Rail – C. Mercier noted the need for guard rail but realizes that planting of trees could be possible as well.

7.2. Informational Reports

D) Informational - Presentation from UMass Lowell – Jacqueline Moloney (Chancellor UML) provide presentation to Council entitled "UMass Lowell Community Update". The presentation outlined the Fall semester progress; Covid-19 protocols; community partners; UML Community Agreement and; Spring planning. Manager Donoghue noted the relationship with the University during the pandemic. C. Samaras commented on the positive outlook of the University and noted the working relationship of the Chancellor with the students and administration. C. Conway noted the success on campus. C. Nuon noted the testing being done and questioned if City could use some of UML resources to enhance their testing. Chancellor Moloney noted that such efforts are possible.

E) Informational - Presentation from WinnCompanies – Michael O'Brien and Matthew Curtin provided presentation to Council entitled "What It Takes To Build More Housing In Lowell". The topics of the presentation included construction updates for Parcels 8 & 9; relationship between rents & total developments cost; and when rents don't support total development cost. Manager Donoghue commented on the



presentation and the transparency of the process. C. Nuon noted the need of a public/private partnership. C. Rourke noted effort of the City to keep rents affordable. C. Mercier commented on the developer's belief in Lowell and questioned parking plan for the area; including handicap spots. Mr. Curtin commented on entire parking scheme for the development. C. Conway commented on tax benefits to the City and increasing the number of workers in the City. C. Chau noted the improvement in the area and the challenges involved and questioned process for affordable housing availability. C. Drinkwater noted need to address housing supply issues and noted Winn was out front in rent assistance during the pandemic. C. Samaras commented on partnerships and the addition of commercial space. C. Elliott noted project was dead in the water at one point is pleased it is moving forward as it will encourage added development in the district.

Motion to bundle and waive second reading of Items #8.1 to #8.3, inclusive by C. Nuon, seconded by C. Rourke. So voted.

8. VOTES FROM THE CITY MANAGER

8.1. Vote - Auth CM Ex. Lease W Jeanne D'Arc For ATM's

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Nuon, seconded by C. Samaras. Adopted per Roll Call vote 9 yeas. So voted.

8.2. Vote- Accept.Expend 400K Complete Streets From MDOT Bridge & French Intersection

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Nuon, seconded by C. Samaras. Adopted per Roll Call vote 9 yeas. So voted.

8.3. Vote- Accept.Expend 10,867 Grant Bureau Of Infections Disease And Lab Sciences And MA Area Planning Council-Region 3

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Nuon, seconded by C. Samaras. Adopted per Roll Call vote 9 yeas. So voted.

8.4. Vote-Auth CM Ex. LDA-With Lupoli Companies LLC.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Mercier, seconded by C. Rourke. Adopted per Roll Call vote 9 yeas. So voted. Gerrylynn Darcy from Lupoli Companies, LLC addressed the body. Manager Donoghue noted that this LDA was part of the Memorandum of Understanding with the company and outlined the agreement. C. Elliott noted concern with construction scheduled and wanted to ensure that the City has options if the developer cannot adhere to the schedule. City Solicitor O'Connor noted that there are penalties for not abiding by the schedule.



9. ORDERS FROM THE CITY MANAGER

9.1. Order-Abandon Portion Of Warren St And Portion Hurd St

In City Council, Given 1st Reading, **Motion** to refer to public hearing on November 10, 2020 at 7PM by C. Chau, seconded by C. Nuon. So voted.

10. ORDINANCES FROM THE CITY MANAGER

10.1. Ordinance- Rental Property Manager Posting

In City Council, Given 1st Reading, **Motion** to refer to public hearing on November 10, 2020 at 7PM by C. Conway, seconded by C. Nuon. So voted.

11. REPORTS (SUB/COMMITTEE, IF ANY)

11.1. Finance SC October 20, 2020.

In City Council, C. Elliott noted attendance and discussion of Lowell Housing Authority trash removal costs to City as well as added costs due to recycling contamination. C. Elliott noted minutes have already been posted for the meeting and that the issue of contaminated recyclables needs to be addressed to lessen burden on taxpayers.

Motion to accept the report as a report of progress by C. Elliott, seconded by C. Chau. So voted.

11.2. Finance SC Joint With School Finance SC October 27, 2020.

In City Council, C. Elliott noted attendance and discussion of budget outlook for school side. C. Elliott discussed the high cost of special education outside of the district and the increased concern as system goes remote. C. Elliott noted bad bills coming from schools and commented that there is no excuse for those bills coming before Council.

Motion to accept the report as a report of progress by C. Elliott, seconded by C. Rourke. So voted.

M. Leahy noted the organization of the Mayor's Youth Advisory Commission. C. Mercier noted that there was Youth Services SC and questioned the difference.

12. CITY COUNCIL - MOTIONS

12.1. C. Mercier/M. Leahy - Req. City Mgr. Find Ways And Means To Ask The State To Allow Our City's Homeless To Take Shelter Indoors During Winter; Preferably And Perhaps In The Empty Lowell District Court House On Hurd Street.

In City Council, no second needed, referred to City Manager. So voted. C. Mercier commented on prior homelessness report noting the current crisis with that and mental health and there must be attempt to help those individuals. C. Chau noted the responsibility to take care of citizens.



13. CITY COUNCIL - EXECUTIVE SESSION

13.1. Executive Session - To Discuss Matters Of Litigation (Open Meeting Complaint), Public Discussions Of Which May Have A Detrimental Effect On The City's Position.

In City Council, Executive Session was cancelled and Motion to refer Open Meeting Complaint to Law Department for a response by C. Rourke, seconded by C. Nuon. So voted.

14. ANNOUNCEMENTS

In City Council, none.

15. ADJOURNMENT

In City Council, **Motion** to Adjourn by C. Rourke, seconded by C. Mercier. So voted.

Meeting adjourned at 9:10 PM.

Michael Geary, City Clerk